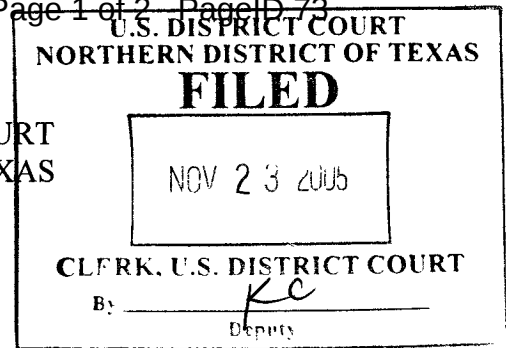


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA,

Respondent/Plaintiff,

v.

ALEJANDRO GONZALEZ-LARA,
ID # 30750-177,

Defendant/Movant.

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Criminal Action No. 3:03-CR-0214-L
(Civil Action No. 3:04-CV-2412-L)

ORDER

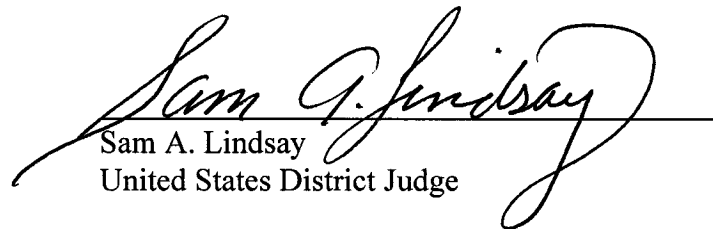
Defendant/movant Alejandro Gonzalez-Lara ("Movant") seeks to vacate, set aside or correct his sentence under 28 U.S.C. § 2255.* Pursuant to 28 U.S.C. § 636(b), and an order of the court in implementation thereof, this action was referred to the United States magistrate judge for proposed findings and recommendation. On September 20, 2005, the Findings, Conclusions and Recommendation of the United States Magistrate Judge were filed, to which no objections were filed.

The magistrate judge found that Movant, in his § 2255 motion, was seeking to collaterally attack his sentence and allege that his counsel was ineffective. In light of an amended plea agreement voluntarily and knowingly entered into by Movant wherein he had expressly waived his right to collaterally attack his conviction and sentence on any ground, including claims of ineffective assistance of counsel, the magistrate judge recommended that Movant's § 2255 motion be summarily dismissed.

*On August 18, 2003, Defendant pled guilty to illegally re-entering the United States after being deported.

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct and the court accepts them as those of the court. Accordingly, Alejandro Gonzalez-Lara's motion to vacate, set aside or correct his sentence under 28 U.S.C. § 2255, is **denied**, and this action is **dismissed with prejudice**. Final judgment will be issued by separate document.

It is so ordered this 23rd day of November, 2005.


Sam A. Lindsay
United States District Judge